

**Court of Appeals, State of Michigan**

**ORDER**

People of MI v Luis Alberto Gutierrez

Docket No. 355749

LC No. 09-001077-FC

Douglas B. Shapiro  
Presiding Judge

Jane E. Markey

Jane M. Beckering  
Judges

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The motion to remand is DENIED.

The delayed application for leave to appeal is DENIED because defendant has failed to establish that the trial court erred in denying the motion for relief from judgment.



Presiding Judge

Shapiro, P.J., would remand for a hearing pursuant to *People v Ginther* 390 Mich 436; 212 NW2d 922 (1973) and rule on the application thereafter.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

MAR - 2 2021

Date



Chief Clerk